## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA CRIMINAL TRIAL MINUTES

Phoenix Division
<u>CR 15 / 00707/1 PHX SRB</u> DATE: <u>2-16-16</u> Year Case No. Dft #
HON: SUSAN R. BOLTON
USA v. Kareem, Abdul Malik Abdul Last Name First Name Middle Initial
DEFENDANT: X Present Not Present Released X Custody Writ
Deputy Clerk: Maureen Williams Court Reporter: Liz Lemke
U.S. Attorney: Kristen Brook and Joseph Koehler with case agent Stewart Whitson
Defense Attorney: <u>Daniel Maynard and Mary Plomin with investigator Jonathan Colvin</u> AFPD X Appointed Retained
Interpreter:_ Language:_

## PROCEEDINGS:/X/JURY TRIAL /\_/COURT TRIAL /X/VOIR DIRE /X/JURY SWORN

Trial Day # 1 Waiver of Jury trial filed n/a

9:13 a.m. This is the time set for Jury Trial. Jury panel is not present. Discussion held regarding the procedure by which the jury panel will complete the questionnaire. This Court's courtroom deputy will administer the oath to the jury panel at the jury administration office before the questionnaires will be provided to the panel. The parties' proposed voir dire is discussed. Regarding peremptory strikes, the Government may exercise 8 peremptory strikes and Defendant may exercise 12 peremptory strikes. Counsel stipulate to the alternates being chosen by lot. The scope of the testimony of Government witnesses Robert Meshinsky and Amy Vaughan is discussed. Defendant's Motion to Preclude or Limit Expert Testimony [Doc. 206] is discussed. Government's counsel advises the Court a written response will be filed by February 17, 2016. Government's Notice of Rule 403(b) evidence is discussed. 9:44 a.m. Court stands at recess in order to allow the jury panel to complete the questionnaire.

12:29 p.m. Reconvene. Jury panel is not present. Juror questionnaires are discussed and some jurors are excused as stated on the record. Regarding the joint statement of the case [Doc. 184], Defense counsel objects to Government's amendment to said statement so the Court will read the statement as filed at Doc. 184. 12:59 p.m. Recess.

2:01 p.m. Reconvene. Jury panel is seated and administered the oath. Voir dire commences. ASL interpreter Helen Young is present to interpret for Juror #47. 3:12 p.m. Recess.

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3:34 p.m. Reconvene. Jury panel is present. Voir dire continues. 4:51 p.m. Jury panel is excused until 9:00 a.m., February 17, 2016, for continued voir dire and court stands at recess.

4:58 p.m. Reconvene. Jury panel is not present. The parties' proposed voir dire is discussed further. Regarding the preliminary instructions, counsel are to confer regarding their proposed changes and advise the Court. Defense counsel having received Evan Kohlmann's final report this date, Government's counsel will not be permitted to call said witness this week as scheduled and will need to be re-scheduled to testify in order to allow Defense counsel time to review the report and to allow the Court to rule on the Motion to Preclude or Limit Expert Testimony [Doc. 206].

5:12 p.m. Court stands at recess until 9:00 a.m., February 17, 2016.